

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

EDDIE N. MORALES,

Plaintiff,

v.

Case No.: 2:24-cv-241-SPC-NPM

DEPARTMENT OF VETERANS
AFFAIRS,

Defendant.

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OPINION AND ORDER

Before the Court is Plaintiff Eddie N. Morales' Complaint (Doc. 1). Morales claims he is entitled to Dependent and Indemnity Compensation benefits from the Department of Veterans Affairs. The Court does not have jurisdiction to consider Morales' claim. 38 U.S.C. § 511(a) gives the Secretary of the Department of Veterans Affairs the exclusive authority to determine entitlement to benefits:

The Secretary shall decide all questions of law and fact necessary to a decision by the Secretary under a law that affects the provision of benefits by the Secretary to veterans or the dependents or survivors of veterans. Subject to subsection (b), the decision of the Secretary as to any such question shall be final and conclusive and may not be reviewed by any other official or by any court, whether by an action in the nature of mandamus or otherwise.

Morales may apply to the Department of Veterans' Affairs for any benefits he believes he is owed. If Morales' has already done so, the Secretary's decisions is final. Thus, amending the complaint would be futile.

Accordingly, this action is **dismissed**. The Clerk is **directed** to terminate any pending deadlines, enter judgment, and close this case.

DONE and **ORDERED** in Fort Myers, Florida on March 21, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record